

EXPRESS MAIL CERTIFICATE

Date

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Name (Print)

Signature

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Attorney Docket No: 3143/1G882-US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Steven EBIN

Serial No: 09/924,006

Confirmation No: 2152

Filed: August 7, 2001

Examiner: To Be Assigned

For: **GAMBLING SYSTEM AND METHOD THROUGH A COMPUTER NETWORK**

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Corrected Application Papers mailed September 17, 2001, Applicant submits herewith substitute drawings for this application (10 sheets, Figures 1-10).

Dated: November 16, 2001

Respectfully submitted,

David Leason  
Registration No. 36,195  
Attorney for Applicant(s)

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November 20, 2001

**JOSEPH B. LERCH**  
MEMBER OF THE FIRM  
212-527-7700  
jlerch@darbylaw.com

Reference: 8909/82382

*Receipt date granted  
is 11/16/01.  
J. Chang  
from OPLA*

**VIA REGISTER MAIL NO. RR 622 592 624 US  
RETURN RECEIPT REQUESTED**

Commissioner of Patents  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

**Re: Request for Filing Date Pursuant to United States Postal Service  
Interruption of Express Mail Service**

Sir:

This is a request to have a filing date of November 16, 2001 accorded to each paper included in 13 express mail packages contained in two boxes accompanying this letter.

This letter is also accompanied by the declaration of Orlando Catala and the declaration of Gabriella Karaszi.

In our office, services, such as copying and messenger services, are performed on site by employees of Archer Management Services. The senior site manager, Mr. Gerald Brown, manages several customer service representatives, Mr. Catala, being one of them.

In our office, express mail is delivered to the local post office (53<sup>rd</sup> Street and 3<sup>rd</sup> Avenue) by a customer service representative each evening. The express mail is packaged into express mail packages by various clerks in the docketing department, who seal the express mail packages. Each express mail package is identified by its label number on a form entitled "Express Mail Confirmation", which also shows the initials of the docket clerk who provided the package. Upon delivering the Express Mail, the

November 20, 2001  
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customer service representative is required to fill in, date and sign the Messenger Certification on the back of the form.

Exhibit A to the declaration of Orlando Catala (a two-sided document) is a true copy of the Express Mail Confirmation for November 16, 2001 (Catala Declaration, Paragraph 3). On the back, it has the messenger certification which, in this case indicates that the 16 packages identified were delivered to the post office at 53<sup>rd</sup> Street and 3<sup>rd</sup> Avenue at 9pm on November 16, 2001 (Catala Declaration, Exhibit A).

However, the post office clerk refused to accept 13 of the express mail packages (Catala Declaration, Paragraph 4).

In the second paragraph of the messenger certification, Mr. Catala authorizes any attorney at Darby & Darby to file all papers on his behalf that may be necessary to prove a date of delivery of the express mail packages. The undersigned is filing the present request in that capacity.

Ms. Gabriella Karaszi is the Docketing Manager at Darby & Darby (Karaszi Declaration, Paragraph 1).

On November 19, 2001, she opened each of the thirteen express mail packages and inserted a copy of a letter from the United States Postal Service advising a suspension of express mail service to zip codes 202 - 205 (Karaszi Declaration, Exhibit A). She did not add anything else to or remove anything from any of the packages and retained them in her possession up to the time they were sealed for re-mailing to the United States Patent and Trademark Office. (Karaszi Declaration, Paragraph 3).

Ms. Karaszi identifies Exhibit B to her declaration as a true copy of the Express Mail Confirmation form for November 16, 2001 (Karaszi Declaration, Paragraph 4). A comparison will reveal that it is identical to Exhibit A of the Catala Declaration.

Thus, an effort was made to deposit each of the enclosed express mail packages at the local post office for delivery to the United States Patent and Trademark Office by express mail service. However, owing to the U.S. postal service's refusal to accept November 20, 2001 the packages, delivery in this manner proved impossible.

The undersigned has therefore submitted all of the packages by registered mail pursuant to the USPTO notice of November 20, 2001

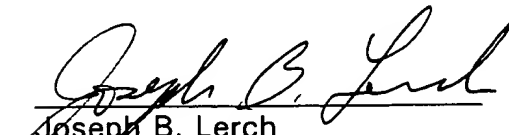
DARBY &  
DARBY

November 20, 2001

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and now requests that each paper included in each of the packages be accorded a filing date of November 16, 2001, since the indicated procedure has now been complied with.

Respectfully submitted,

  
\_\_\_\_\_  
Joseph B. Lerch  
Reg. No. 26,936  
Attorney For Applicant(s)

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/924,006	08/07/2001	Steven Ebin	3143/1G882US1

CONFIRMATION NO. 1956

## FORMALITIES LETTER



\*OC000000006564654\*

DARBY & DARBY P.C.  
805 Third Avenue  
New York, NY 10022

Date Mailed: 09/17/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice MUST be returned with the reply.*

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Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY